

REGULAR CITY COUNCIL MEETING
FEBRUARY 13, 1989

PRESENT

Ruth Hansen	Mayor
Wesley J. Bloomfield	Council Member
Gayle Bunker	Council Member
David Church	Council Member

ABSENT

Don Dafoe	Council Member
Rex T. Harris	Council Member

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Wayne Gasser	
Ben Gasser	
Al Pitzer	Intermountain Power Agency
Paul Hirst	Intermountain Power Agency
Gordon Shipley	Intermountain Power Agency
Bryce Ashby	Delta Fire Chief
Darrell Lester	Delta Rotary Club
Margaret Lester	City Resident
Robert Droubay	Planning Commission Chairman
Vonnie Viers	Kaye's Hair Kare
Kaye Niles	Kaye's Hair Kare
Jerry Reagan	Millard County Building Inspector
Kenneth R. Rand	Chronicle/Progress
H. Doyle Bender	City Treasurer
Jennifer Smith	Delta City Youth Council
Gary Paul Rose	Delta City Youth Council

Mayor Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held December 12, 1988, were presented for consideration and approval.

The Council reviewed the minutes briefly after which Council Member David Church MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held December 29, 1988, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member Wesley Bloomfield MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a regular City Council meeting held January 9, 1989, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member David Church MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held January 30, 1989, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$85,220.14. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

AL PITZER, INTERMOUNTAIN POWER AGENCY: AMENDMENT NO. 1 TO IMPACT ALLEVIATION AGREEMENT NO. 47

Mayor Hansen welcomed Al Pitzer, Intermountain Power Agency, and asked him to address the Council.

Al Pitzer presented Amendment No. 1 To Impact Alleviation Agreement No. 47 for Council's consideration. Following review, Council Member Gayle Bunker MOVED to approve Amendment No. 1 To Impact Alleviation Agreement No. 47 as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Wesley Bloomfield	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Absent
Council Member Rex Harris	Absent

The motion passed unanimously.

Mayor Hansen said that since Impact Alleviation Agreement No. 47 was authorized by a resolution, a resolution adopting Amendment No. 1 To Impact Alleviation Agreement No. 47 will be required.

Council Member David Church MOVED that Attorney Richard Waddingham prepare a resolution adopting Amendment No. 1 To Impact Alleviation Agreement No. 47. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mr. Pitzer then discussed demobilization of the White Sage Recreational Vehicle Park (RV Park) and White Sage Apartment Maintenance Building (WSAMB) Sites.

Mr. Pitzer explained that in a City Council meeting held October 24, 1988, he discussed the Intermountain Power Project's plan to remove the aboveground improvements at the RV Park. He also explained that under the terms of the Annexation Agreement for the White Sage Development, all aboveground improvements at the RV Park were to be removed to six inches below grade within 18 months (October 1988) after commercial operation of the last generating unit. The City Council extended the compliance date to October 31, 1989 at the October 24, 1988 meeting.

Mr. Pitzer said that the Project has sold most of the property associated with the White Sage Development but intends to retain possession of the RV Park and approximately 35 acres of unimproved property east of the RV Park. He said that since the Project is retaining the RV Park with future use in mind, it would prefer to minimize the removal of existing improvements. All electrical risers and transformers have been removed from the site. Also water and sewer risers have been removed to below grade and capped to assure the future integrity of both systems.

Mr. Pitzer said that in order that the RV Park can quickly and economically be remobilized in the future, the Project is requesting that Delta amend the existing restrictions to allow the following improvements to be left in place:

1. The paved road, internal to the RV Park
2. The bath house foundation.
3. The wooden perimeter fence and the chain link fence at the four access points.

Also, Millard County is presently leasing and has an option to purchase the WSAMB and approximately 0.5 acres of land associated with WSAMB. Under the lease/purchase agreement with Millard County, Intermountain Power Agency (IPA) must obtain a waiver of the present requirements to remove improvement by October 31, 1989. Therefore, IPA requests that the City Council waive the requirements for removal of the existing improvements at the RV Park, the WSAMB, and the property associated with the WSAMB.

Following discussion, Council Member David Church MOVED to waive the requirements for removal of the existing improvements at the RV park, the WSAMB, and the property associated with the WSAMB as requested by IPA, without a time limit. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mr. Pitzer reminded the Council that at the City Council meeting held October 24, 1988, he briefly discussed the Intermountain Power Agency's (IPA) desire to dedicate to Delta that portion of Bristlecone Lane between Locust Avenue and Manzanita Avenue which was not dedicated with the other WSD streets in 1984.

He further stated that Bristlecone Lane has become an important link between the White Sage Subdivision and the Regional Park. The sewer line which serves the Regional Park and the future Millard County Fairgrounds site lies beneath the street. Bristlecone Lane also provides access to the WSA Maintenance Buildings.

Mr. Pitzer said that as IPA liquidates property at WSD, two areas where Delta should have easements for operating and maintaining various public utilities have been identified, but for which easements have not previously been dedicated by IPA. IPA would like to provide Delta easements for these utilities.

Paul Hirst then reviewed a map and explained that one easement would be for the storm drain which runs west to east along the south property line of WSA and would include the associated

retention basin. This storm drain serves the area north and west of WSA. The other easement is for the sewer trunk line which runs along the south property line of Parcel No. 3.

Following discussion, Council Member Gayle Bunker MOVED to accept the dedication of Bristlecone Lane and the utility easements from IPA to Delta City. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen expressed appreciation to Mr. Pitzer for the pleasant working relationship and for the goodwill and cooperation that Mr. Pitzer and IPA has given to Delta City.

KIRT OVERSON, CITY RESIDENT: BUSINESS LICENSE FEE ADJUSTMENT

Mayor Hansen reported that Mr. Overson withdrew his request; therefore, this item was not discussed.

DARRELL LESTER, DELTA ROTARY CLUB: REQUEST FOR PARTICIPATION IN ANNUAL EASTER EGG HUNT

Mayor Hansen asked Darrell Lester to address the Council.

Mr. Lester explained that the Delta Rotary Club sponsors the Annual Easter Egg Hunt in the City Park, and in order to do that this year, the Club is requesting that Delta City participate by donating approximately \$100 to purchase the eggs for the Hunt.

Following brief discussion, Council Member David Church MOVED to provide funding, not to exceed \$100, for the Annual Easter Egg Hunt. Council Member Wesley Bloomfield SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

FIRE CHIEF BRYCE ASHBY: 1989 FIRE DEPARTMENT OFFICERS

Mayor Hansen asked Fire Chief Bryce Ashby to address the Council.

Chief Ashby reported that elections for Delta City Fire Department Officers were held January 1, 1989, and requested approval of the following officers:

Fire Chief	Bryce Ashby
Asst. Fire Chief	Lynn Ashby
Captain	Bruce Curtis
Lieutenant	Hale Jeffery
Sec/Treasurer	Roger Scoville

Council Member David Church MOVED that the Delta City Fire Department Officers be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed unanimously.

FIRE CHIEF BRYCE ASHBY: SALE OF FIRE DEPARTMENT VEHICLE

Mayor Hansen asked Chief Ashby to address the Council regarding the sale of a fire department vehicle.

Chief Ashby said that the Fire Department no longer has need for a 1974 Ford Sedan and requested Council's approval to advertise the vehicle for sale.

Council Member David Church MOVED to advertise the vehicle for sale and the proceeds received are to be returned to the City, subject to the terms of the Interlocal Agreement. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Chief Ashby asked for Council's direction in purchasing fireworks for July 4th. No decision was made at this time.

ROBERT DROUBAY, PLANNING COMMISSION CHAIRMAN: APPOINTMENT OF PLANNING COMMISSION MEMBERS

Mayor Hansen asked Planning Commission Chairman Robert Droubay to address the Council.

Mr. Droubay recommended that Gary Church and Kathy Roper be appointed as Planning Commission Members to replace Roland Dutson and Rochelle Munster.

Council Member David Church MOVED to appoint Gary Church and Kathy Roper as Planning Commission members. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Robert Droubay also said that Doug Esplin has agreed to represent the Planning Commission on the Board of Adjustments.

ROBERT DROUBAY, PLANNING COMMISSION CHAIRMAN: SET PUBLIC HEARING
DATE RE: PROPOSED ZONE CHANGE FROM CD TO R4 ON PROPERTIES
LOCATED BETWEEN 100 NORTH TO 100 SOUTH FROM 400 WEST TO 350 EAST

Mayor Hansen asked Robert Droubay, Planning Commission Chairman, to discuss with the Council a proposed zone change.

Mr. Droubay reported that, as requested by the City Council, the Delta City Planning & Zoning Commission reviewed proposed ordinances presented by Attorney Richard Waddingham and Attorney Warren Peterson regarding an amendment to the Delta City Zoning Ordinance. Following discussion and review, the Planning Commission unanimously voted in a meeting held Thursday, January 19, 1989, to resubmit a request for a proposed zone change from Commercial Development (CD) to R4 on properties located between 100 North to 100 South from 400 West to 350 East.

Mayor Hansen said that, because this agenda item is incorrectly stated, the zone change request will be discussed at the March 13, 1989, regular City Council meeting.

ROBERT DROUBAY, PLANNING COMMISSION CHAIRMAN: CONDITIONAL USE
PERMIT FOR KAYE'S HAIR KARE IN-HOME BUSINESS

Mayor Hansen asked Robert Droubay to address the Council regarding Kaye's Hair Kare In-Home Business.

Mr. Droubay presented a Recommendation from the Planning Commission to the Council regarding Kaye's Hair Kare Beauty Salon.

He said that, as requested, the Planning Commission reviewed Section 12-912 of the Zoning Ordinance entitled, "Permitted Home Occupations" in regards to an In-Home Business License for Kaye's Hair Kare Beauty Salon. Mr. Droubay said that the Planning Commission voted unanimously in a meeting held January 19, 1989, to recommend that, due to an error on the part of the City in issuing a business license for the past three years, the City Council allow Kaye's Hair Kare to continue their business as it is at the present time with two additional operators under a Conditional Use Permit.

He said that the Planning Commission also recommends that the Zoning Ordinance, Section 12-912 not be modified but remain as is.

Attorney Richard Waddingham said that in order to issue a Conditional Use Permit, the procedures set out in the Zoning Ordinance need to be met.

Following discussion, Council Member Wesley Bloomfield MOVED to table this issue until Zoning Official Neil Forster prepares

the documentation necessary to present a Conditional Use Permit. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ROBERT DROUBAY, PLANNING COMMISSION CHAIRMAN: SET PUBLIC HEARING
DATE RE: PROPOSED ZONE CHANGE FROM RR TO A10 - MILLARD COUNTY
FAIR GROUNDS

Mayor Hansen asked Robert Droubay, Planning Commission Chairman, to address the Council regarding a proposed zone change from RR to A10 for the Millard County Fair Ground Facility.

Robert Droubay said that following review of the proposed zone change for the Millard County Fair Grounds, the Planning Commission recommends that a Public Hearing be scheduled for the purpose of receiving public comment regarding a proposed zone change from RR (Rural Residential) to A10 (Agricultural Zone).

Following discussion, Council Member Gayle Bunker MOVED to schedule a Public Hearing for March 13, 1989, at 6:30 p.m. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

MAYOR RUTH HANSEN: RECOMMENDATIONS FOR BOARD OF ADJUSTMENT
MEMBERS

Mayor Hansen asked for recommendations for the Board of Adjustments to replace Madge Hales and Carol Worthen. Mayor Hansen said she would contact Gary Shelton and Rod Staples to see if they would be willing to serve on the Board and report at the next City Council meeting.

CITY RECORDER JEFFERY: BUSINESS LICENSE FEES

Mayor Hansen asked City Recorder Dorothy Jeffery to address the Council regarding Business License Fees.

Dorothy Jeffery said that several individuals in the area are doing yard care as a business but do not have a business license. One individual has made application for a business license but requested that the fee be reduced from \$50 to \$25.

Mrs. Jeffery asked the Council for direction as to what constitutes a yard care business and what the fee should be.

The Council instructed Attorney Richard Waddingham to prepare an

amendment to the Business License Ordinance regarding Yard Care Service and business license fee the March 13th City Council meeting, at which time the fee will be considered.

CITY RECORDER DOROTHY JEFFERY: YOUTH PARTICIPATION IN YOUTH CITY COUNCIL INSTITUTE

Mayor Hansen asked City Recorder Dorothy Jeffery to discuss an upcoming Youth City Council Institute.

Dorothy Jeffery said that the a Youth City Council Leadership Institute is being held March 9, 10, 11, 1989 on the campus of the Utah State University in Logan. Participating in the Institute will be youth leaders, adult leaders, and other representatives of communities from throughout the state.

Mrs. Jeffery said that the cost per person for the Institute is \$65 and the Delta City Youth Council participants are trying to earn the money themselves.

JENNIFER SMITH, YOUTH CITY COUNCIL: YOUTH CITY COUNCIL REPORT

Mayor Hansen asked Jennifer Smith, Youth City Council Mayor, to give a report on the activities of the Youth City Council.

Jennifer Smith said that in January the Youth Council furnished a dinner and entertainment for the residents of the Sands Apartments.

Fund raisers are being held to earn money for the Youth Council Institute.

Ms. Smith asked the Council for suggestions for future projects. Mayor Hansen suggested that the Youth Council participate in the Delta City Annual Spring Clean-Up.

COUNCIL MEMBER DAVID CHURCH: DISCUSSION OF 1988-1989 DELTA CITY LIABILITY INSURANCE PREMIUM

Mayor Hansen asked Council Member David Church to discuss with the Council Delta City's 1988-1989 Liability Insurance Premium.

Council Member David Church referred to a letter from Nickle Insurance Agency addressed and presented to the City Council May 2, 1988^d, wherein a bid was a submitted in the amount of \$57,573 for Delta City's insurance premiums. The letter stated that the premiums for General Liability in the amount of \$25,000 and Professional Liability in the amount of \$6,719 were projected premiums and that the firm rate may be as much as 20% lower than the prices shown.

The letter also stated that if the General Liability policy were written by USF&G, which it is, the premium would definitely be lower than \$25,000.

Mr. Church said that when the Council adopted Nickle Insurance Agency's proposal, he was led to believe that Delta City would receive money back from premiums paid, and that the cost for insurance would not be higher than \$57,573. However, a breakdown of Delta City Insurances prepared by Nickle Insurance Agency indicates that Delta City has a balance owing of \$171 for 1988-1989. That breakdown is as follows:

DELTA CITY INSURANCE
Fiscal Year 1988-89

City Entity	Budget	Insurance Coverage/%	Budgeted Ins Amount	Actual Amount	Difference
City Council	19,800	E & O/8.8	853	185	-668
J.P.	8,762	E & O/3.9	220	82	-138
Attorney	47,195	E & O/21.1	577	443	-134
City Hall	88,037	Gen Liab/13.4 E & O/39.3 Prop/54.8 Bond	5,000	2,942 812 2,823 535	2,112
Building Insp.	1,476	E & O/.7	76	15	-61
Treasurer	27,799	E & O/12.4 Bond	1,261	260 886	-115
Recorder	31,020	E & O/13.8	512	290	-222
Police	195,490	Prof Liab Auto	8,374	8,564 2,803	2,993
Library	34,754	Gen Liab/5.3	0	1,164	1,164
Streets	91,531	Gen Liab/13.9 Auto Property/2.9 In. Mar./36.0	6,541	3,052 5,808 151 373	2,843
Solid Waste	44,687	Gen Liab/6.8	887	1,493	606
Parks & Rec	17,387	Gen Liab/2.6 Auto	2,223	571 1,146	-506
Irrigation	10,728	Gen Liab/1.6 Auto	689	351 730	392
Celebrations	4,990	Spec Event	520	599	79
Airport	9,225	Gen Liab/1.4 Property/11.8 Airport Liab	5,965	307 609 4,518	-531
Water	235,185	Gen Liab/35.7 Property/13.4 In.Mar./32.0	8,724	7,839 691 331	137
Sewer	127,119	Gen Liab/19.3 Auto Property/17.1 In.Mar/32.0	6,620	4,238 1,917 885 331	751
TOTALS	995,185		49,042	57,744	8,702

DELTA CITY ACCOUNTING

	1987-1988		1988-1989		Difference
	Bid	Actual	Bid	Actual	
Property	9,043	9,043	6,976	5,159	-1,817
Cont. Equip.	1,089	1,089	988	1,035	47
Auto	14,042	14,042	11,840	12,404	564
Gen Liability	18,011	18,011	*25,000	21,957	-3,043
Public Off E&O	*6,719	5,639	*6,719	2,087	3,932
Law Prof		2,716		8,564	
Fireworks		594	0	599	599
Airport	5,300	5,300	5,300	4,518	-782
Bonds					
Treasurer	886	886	750	886	671
Recorder	175	175		0	
Pub Off	535	535		535	
Tail End	6,700	6,700			
Total	(62,500)	64,730	(57,573)	57,744	(171)
Paid		-62,500		-57,573	
White Sage Prop		-1,008			
Balance Due		1,222		171	

*Projected Premium Only

Attorney Waddingham said that John Nickle had called him prior to the meeting and asked him to report that the representations he made in a regular City Council meeting held May 2, 1988, were based on Olympus Insurance Agency's commitment that the premiums would be reduced.

Council Member David Church asked Attorney Waddingham to review the figures prepared by John Nickle.

Mayor Hansen briefly reviewed insurance coverages for the Delta dumpsite. Delta City is to assume the first \$1,000 liability on solid waste, and Millard County will assume whatever goes above that amount.

OTHER BUSINESS

Mayor Hansen said that UDOT notified her that pedestrian traffic at 300 West does not warrant a designated crosswalk at that intersection.

Council Member Wesley Bloomfield reported on an Economic Development Meeting held wherein the possibility of the local businesses supplying some of the larger industries in the area was discussed. He said that the main goal of the Economic Development Committee is to promote the local businesses.

The Animal Control Ordinance - requiring dogs to have rabie shots prior to being licensed - was discussed. Dr. H. Nielsen has requested that the ordinance be enforced. The Council concurred with Dr. Nielsen's request.

Mayor Hansen asked if there were any further comments, questions or items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 9:15 p.m.


RUTH HANSEN, Mayor


DOROTHY JEFFERY
Delta City Recorder